

**REMARKS**

**INTRODUCTION:**

In the Office Action, the Examiner noted that claims 1-9 were pending in the application and the examiner rejected all claims. By this amendment, new claim 10 has been added. Thus, claims 1-10 are pending in the application. The examiners rejections are traversed below.

**REJECTION UNDER 35 U.S.C. §112:**

Claims 4 and 6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. This rejection is traversed and reconsideration is requested.

It is submitted that claims 4 and 6 as amended meet the requirements of 35 U.S.C. § 112, second paragraph.

**REJECTION UNDER 35 U.S.C. §102:**

Claims 1, 3, 8 and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sigil et al., U.S. Patent Number 5,881,292, hereafter referred to as "Sigil". This rejection is traversed and reconsideration is requested.

This rejection is respectfully traversed because Sigil does not teach or suggest:

electronic information name distributing means for distributing the  
electronic information name created by said electronic information  
name creating means, to users of the electronic information.

FIGS. 5a & 5b and the accompanying text of the Sigil reference disclose a dynamic versioning system which creates a virtual version of the complex system on the requesting user's private computer, which is designed to prevent an updated version of a module by a second user from corrupting the virtual version of the complex system stored on the first user's personal computer. For example, in the Sigil reference, if a first user updates a first module within the complex system, a second user who later requests the first module in the complex system, will receive the original unupdated module. Thus, the current version number of the module is not distributed to the second user with the request for the electronic information.

Therefore, FIGS. 5a & 5b and the accompanying text of the Sigil reference fail to teach or suggest the claimed “electronic information name distribution means” of claim 1.

Furthermore, Sigil fails to teach or suggest:

version number judging means for judging whether or not the version number included in the electronic information name coincides with the version number held in said version number holding means, when the electronic information to be specified by the electronic information name is subject to an access by each user of the electronic information.

The Sigil reference discloses a dynamic virtual version system which, as described in FIGS. 6 & 8, fails to teach or suggest judging means to judge whether or not the version number contained within the electronic information name coincides with the version number held in the version number holding means. The Sigil reference allows multiple users to download unupdated versions of modules that have already been updated by another user without judging if the version number matches the version number contained in the version number holding means. See for example Sigil at col. 5:29-33, which discloses that when a second user requests a module that a first user has updated, the second user will receive an unupdated copy of the module without judging if the module is the most recent version of the module. Thus the Sigil reference fails to teach or suggest the claimed “version number judging means” of claim 1.

Additionally, the Sigil reference fails to teach or suggest:

access permitting means for permitting an access to the electronic information, when it is judged by said version number judging means that the two version numbers coincide with each other.

FIG. 8 and the accompanying text of the Sigil reference fail to teach or suggest any means for permitting access to the electronic information when it is judged by the version judging means that the two version numbers coincide. The Sigil reference will allow a second user to access an unedited version of the electronic information that was previously updated by a first user. Thus, the Sigil reference fails to teach or suggest the claimed “access permitting means”.

Therefore, the applicant respectfully requests reconsideration of Claim 1 under 35 U.S.C. § 102(b) because the Sigil reference fails to teach or suggest the above-identified features.

Claim 3 depends from claim 1 and includes all the features of that claim plus additional features which are not taught or suggested by the prior art. Therefore, it is submitted that claim 3 patentably distinguishes over the prior art.

Claim 8 is directed to an exclusive access controlling method for electronic information, which includes:

an electronic information name distributing process for distributing the electronic information name created by said electronic information name creating process, to users of the electronic information, a version number judging process for judging whether or not the version number included in the electronic information name coincides with the version number held in said table, when the electronic information to be specified by the electronic information name is subject to an access by each user of the electronic information, and an access permitting process for permitting an access to the electronic information, when it is judged by said version number judging process that the two version numbers coincide with each other.

Therefore, it is submitted that claim 8 patentably distinguishes over the prior art.

Claim 9 is directed to a recording medium recorded with an exclusive access controlling program for electronic information, for performing a process which includes:

an electronic information name distributing function for distributing the electronic information name created by said electronic information name creating function, to users of the electronic information, a version number judging function for judging whether or not the version number included in the electronic information name coincides with the version number held in said table, when the electronic information to be specified by the electronic information name is subject to an access by each user of the electronic information, and an access permitting function for permitting an access to the electronic information, when it is judged by said version number judging function that the two version numbers coincide with each other.

Therefore, it is submitted that claim 9 patentably distinguishes over the prior art.

REJECTION UNDER 35 U.S.C. §103:

Claims 2, 4 and 6 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,881,292 to Sigil et al. (hereinafter "Sigil") in view of U.S. Patent No. 5,586,304 to Stupek et al. (hereinafter "Stupek"). This rejection is respectfully traversed.

Neither the Sigil reference nor the Stupek reference explicitly or implicitly teaches or suggests the above-identified portions of claim 1. Because Sigil, referred to alone, or in combination with Stupek, does not teach or suggest the features as discussed above, claim 1 contains patentable subject matter. Therefore dependent Claims 2, 4 and 6, which contain all the features of independent Claim 1, should not be rejected under 35 U.S.C. § 103(a).

Claims 5 and 7 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,881,292 to Sigil et al. (hereinafter "Sigil") in view of U.S. Patent No. 5,586,304 to Stupek et al. (hereinafter "Stupek") further in view of U.S. Patent No. 5,878,432 to Misheski et al (hereinafter "Misheski"). This rejection is respectfully traversed.

None of the Sigil reference, the Stupek reference and the Misheski reference explicitly or implicitly teaches or suggests the above-identified portions of claim 1. Because Sigil, referred to alone, or in any combination with Stupek and Misheski, does not teach or suggest the features as discussed above, claim 1 contains patentable subject matter. Therefore dependent Claims 2, 4 and 6, which contain all the limitations of independent Claim 1 should not be rejected under 35 U.S.C. § 103(a).

NEW CLAIM:

New claim 10 is added to set forth the invention with a varying scope. Claim 10 includes:

distributing the electronic information name to users of the electronic information, judging whether or not the version included in the electronic information name coincides with the version number held in the table when the electronic information is subject to an access by each user of the electronic information, and permitting access to the electronic information when it is judged that the two version numbers coincide.

Therefore, it is submitted that Claim 10 patentably distinguishes over the prior art.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

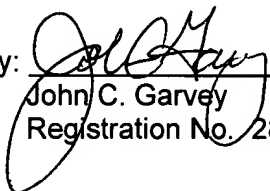
If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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